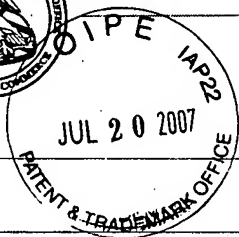




UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Paper No.

Daniel M. Chambers  
BioTechnology Law Group  
658 Marsolan Avenue  
Solana Beach CA 92075

**COPY MAILED**

**JUL 09 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Fruhberger et al. : DECISION ON PETITION  
Application No. 10/677,908 :  
Filed: October 1, 2003 :  
Atty Docket No. SCS-1001-UTL1 :

This is a decision on the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) filed March 27, 2007.

The petition is **GRANTED**.

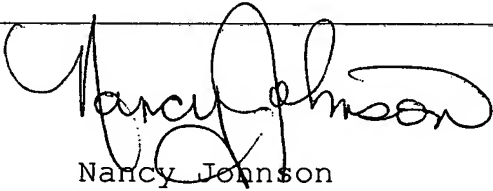
The above-identified application became abandoned for failure to file a reply to the non-final Office action mailed June 16, 2005. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time obtainable under § 1.136(a). No reply considered timely filed and no extension of time considered obtained, the application became abandoned effective September 17, 2005. A courtesy Notice of Abandonment was mailed on December 29, 2005.

The petition includes the required reply in the form of an amendment, the statement of unintentional delay and payment of the petition fee. No terminal disclaimer is required.

Technology Center AU 2856 has been advised of this decision. The application is, thereby, forwarded to the examiner for consideration of the reply submitted on petition filed March 27, 2007.

Telephone inquiries specific to this decision should be directed  
to the undersigned at (571) 272-3219.

---

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" written in a larger, more prominent script than the last name "Johnson".

Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

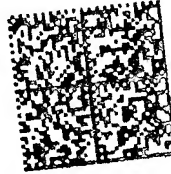
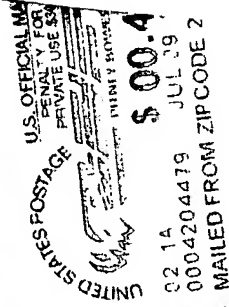
Bldg./Room

Organization UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450  
Alexandria, VA. 22313-1450  
If Undeliverable Return In Ten Days

Official Business  
Penalty For Private Use, \$300

AN EQUAL OPPORTUNITY EMPLOYER



RECEIVED

JUL 20 2007

USPTO MAIL CENTER

X 921 NFE 1 JUSC 00 071  
FORWARD TIMEGY EXP LAW GROUP  
BIOTECHNOLOGY 101 STE E173  
527 N HIGHWAY CA 92075-1173  
SOLANA BEACH  
RETURN TO SENDER

92075-1173 092075-1173